

02/14/02

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
REQUEST FOR FILING NATIONAL PATENT APPLICATION
Under 35 USC 111(a) and Rule 53(b)

PATENT APPLICATION

JC979 10/07/02 PTO
10/07/02Hon. Commissioner of Patents
Washington, D.C. 20231WITH SIGNED DECLARATION

NONPROVISIONAL
NON REISSUE
NON PCT NAT PHASE

00909

Sir:

Herewith is the PATENT APPLICATION of
Inventor(s): Steven L. SEED et al.

Title MANAGED OBJECT REPLICATION AND DELIVERY

Atty. Dkt.: P 281571
M#

Client Ref

including:

Date: February 14, 2002

1. Specification: 47 pages (only spec. and claims) 2. Specification in non-English language

3. Declaration Original Facsimile/Copy Abstract 1 page(s); 65 numbered claims

4. Drawings: 9 sheet(s) informal; formal of size: A4 11"

5. See top first page re prior Provisional, National or International application(s). ("X" box only if info is there and do not complete item 6 or 7). (Prior M# SN)

6. This application claims benefit of the following prior US application(s), the contents of which are incorporated into this application by this reference:

No. / filed _____

No. / filed _____

No. / filed _____

No. PCT / filed _____, Which

designated the US and that International Application was was not published under PCT Article 21(2) in English7. See the attached Preliminary Amendment, which amends the specification to claim benefit of the above listed US application(s)8. Attached is an assignment and cover sheet. Please return the recorded assignment to the undersigned.9. Assignee (optional): Digital Island, Inc.

Address 45 Fremont Street, San Francisco, CA 94105

10. FOREIGN priority is claimed under 35 USC 119(a)-(d)/365(b) based on filing in _____

11. _____ (country)

| Application No. | Filing Date | Application No. | Filing Date |
|-----------------|-------------|---|-------------|
| (1) | | (2) | |
| (3) | | (4) | |
| (5) | | (6) | |
| (7) | | (8) | |
| (9) | | <input type="checkbox"/> See 3 rd page for additional priorities | |

12. _____ (No.) Certified copy (copies): attached; previously filed (date) _____
in U.S. Application No. _____ / filed on _____13. Small entity status is not claimed; is claimed (Pre-filing confirmation required)13(a). Attached: _____ (No.) Small Entity Statement(s) (since 9/8/00 small entity statement(s) not essential to make claim)13(b). See NONPUBLICATION REQUEST under Rule 213(a) attached (Pat-258)

14. DOMESTIC/INTERNATIONAL priority is claimed under 35 USC 119(e)/120/365(c) based on the following provisional, nonprovisional and/or PCT international application(s):

| Application No. | Filing Date | Application No. | Filing Date |
|-----------------|-------------|-----------------|-------------|
| (1) | | (4) | |
| (2) | | (5) | |
| (3) | | (6) | |

15. This application is being filed under Rule 53(b)(2) since an inventor is named in the enclosed Declaration who was not named in the prior application.

16. Attached:

17. Preliminary Amendment:

THE FOLLOWING FILING FEE IS BASED ON CLAIMS AS FILED LESS ANY ABOVE CANCELLED

| | Large/Small Entity | | Fee Code |
|---|------------------------------------|----------------|----------|
| 18. Basic Filing Fee | \$740/\$370 | \$740 | 101/201 |
| 19. Total Effective Claims 65 minus 20 = *45 | x \$18/\$9 = | + 810 | 103/203 |
| 20. Independent Claims 6 minus 3 = *3 | x \$84/\$42 = | + 252 | 102/202 |
| *If answer is zero or less, enter "0" | | | |
| 21. If any proper multiple dependent claim (ignore improper) is present, add (Leave this line blank if this is a reissue application) | + \$280/\$140 | + 0 | 104/204 |
| 22. | TOTAL FILING FEE ENCLOSED = | \$ 1802 | |
| 23. If "non-English" box 2 is X'd, add Rule 17(k) processing fee | + \$130 | + 0 | 139 |
| 24. If "assignment" box 8 is X'd, add recording fee | + \$40 | + 40 | 581 |
| 25. <input type="checkbox"/> Attached is a Petition/Fee under Rule No. | + \$130 | + 0 | 122 |
| 26. | TOTAL FEE ENCLOSED = | \$ 1842 | |

Our Deposit Account No. 03-3975

Our Order No. 18404 | 281571
C# | M#



00909

CHARGE STATEMENT: The Commissioner is hereby authorized to charge any fee specifically authorized hereafter, or any missing or insufficient fee(s) filed, or asserted to be filed, or which should have been filed herewith or concerning any paper filed hereafter, and which may be required under Rules 16-18 (missing or insufficient fee only) now or hereafter relative to this application and the resulting Official document under Rule 20, or credit any overpayment, to our Account/Order Nos. shown above for which purpose a duplicate copy of this sheet is attached.

This CHARGE STATEMENT does not authorize charge of the issue fee until/unless an issue fee transmittal form is filed.

Pillsbury Winthrop LLP
Intellectual Property Group

By Atty: Brian Siritzky

Reg. No. 37497

Sig:

Fax: (703) 905-2500
Tel: (703) 905-2185

Atty/Sec: BS/JPH:ksh

NOTE: File in duplicate with 2 post card receipts (PAT-103) & attachments

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re PATENT APPLICATION of:

Inventor(s): Steven L. SEED et al.

Atty Dkt: 18404 / 281571
C# M#

Filed: Herewith

NOTE: Request will **NOT** be honored by PTO
if filed later than the application.

Title: **MANAGED OBJECT
REPLICATION AND
DELIVERY**

MUST be filed with the application initially.

NONPUBLICATION REQUEST UNDER RULE 213(a)

The attached new application is **NOT TO BE PUBLISHED** under 35 U.S.C. §122(b).

I hereby certify that the invention disclosed in the attached new application has not been
and will not be the subject of an application filed in another country, or under a multilateral
international agreement, that requires publication at eighteen months after filing.

This request is signed in compliance with the provisions of Rule 33(b) by the signature(s)
in one of the three columns below.

Respectfully Submitted,

Pillsbury Winthrop LLP

Inventor(s)

Assignee(s) of Record Per

Enclosed Assignment

Sig: _____

Assignee: _____

By Atty.: Brian Siritzky

Name: _____

Reg. No.: 37497

Date: _____

By _____

Sig: _____

Name: _____

Name: _____

Title: _____

Date: _____

Date: _____

Sig: B. Siritzky

Date: 2-13-2002

Tel.: (703) 905-2185

Fax: (703) 905-2500

Sig: _____

Assignee: _____

Name: _____

By _____

Date: _____

Name: _____

Title: _____

Date: _____